

PROJECT SUMMARY

**PATRIOT ESTATES AND
PATRIOT BLUFF DEVELOPMENT PROJECT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**

**Prepared For:
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MAY 2006

INTRODUCTION

During October, 2005, Environmental Compliance Services, Inc. (ECSI) submitted a Draft Supplemental Environmental Impact Statement (DSEIS) to the Town of New Windsor, which was prepared for the Patriot Estates and Patriot Bluff Development, on behalf of RPA Associates LLC (RPA), the project Applicant. The DSEIS has been prepared in accordance with State Environmental Quality Review (SEQR) regulations (6NYCRR 617.9) and a Final DSEIS Scoping Document approved by the Town of New Windsor Planning Board, Lead Agency for the project, on February 23, 2005. Presented below is a summary of the document which essentially highlights the particulars of the project.

PROJECT BACKGROUND

The proposed action was previously reviewed under SEQR as part of an approved Planned Unit Development (PUD), which was subject to a full environmental review process during 1988. At that time the property was known as the Epiphany College Property and the Applicant was Sky-Lom of New Windsor, Inc. The Town of New Windsor Town Board, Lead Agency for the original project, administered the SEQR process. Draft and Final Environmental Impact Statements (DEIS and FEIS, respectively) for the Epiphany College Property were completed, along with a Findings Statement which concluded that a concept approval be granted to the Applicant (formerly Sky-Lom of New Windsor, Inc.) for the entire project site. A SEQR Statement of Findings was issued by the Town Board on November 15, 1989. As part of issuing the Findings Statement, the Board approved the site for Planned Unit Development (PUD) to facilitate flexibility in providing mixed housing options, in conjunction with retail uses.

The original concept approval, as provided in the SEQR Statement of Findings, was for the construction of a 100,000 square foot retail center, 500 residential units, and 15,000 square feet of office space upon 152.50 acres. Subsequent to the issuance of the SEQR Findings Statement, Sky-Lom of New Windsor, Inc. sold an approximate 55 acre portion of the project property, located northwest of the site, to the Newburgh Enlarged City School District (NECSD). Within this conveyed parcel, Sky-Lom retained a 50-foot wide right-of-way within an adjoining Central Hudson Gas & Electric (CHG&E) easement for the purpose of connecting the development with Union Avenue to the north. Sky-Lom sold the remaining acreage to Marine Midland Bank who eventually conveyed it to RPA. The construction of the Patriot Plaza and Patriot Ridge Condominiums followed under the ownership of RPA. The current project holdings of RPA, subject to the DSEIS review process, consists of 55 acres.

On March 10, 2004, the Town Planning Board held a Public Hearing to solicit public comments on the proposed Patriot Estates Subdivision and Patriot Bluff Development project. During the meeting, the Planning Board received comments on certain issues which substantiate a change in circumstances due to the passage of time, which in turn necessitated the need to assess these issues in conjunction with the preparation of a Supplemental Environmental Impact Statement (SEIS). Specifically, the Planning Board requested RPA to prepare a Draft SEIS (DSEIS) to address impacts on drainage, wetland disturbance, sewer and water services,

transportation (traffic), school district capacity, and changes in community character resulting from the currently proposed project. These issues were determined by the Planning Board to potentially result in significant environmental impacts.

PROJECT DESCRIPTION

RPA is interested in receiving Site Plan and Subdivision approvals to permit construction of a 28-lot, single-family housing development (the Patriot Estates Subdivision) and an adjoining 96-unit attached residential complex (Patriot Bluff Development) on 55 acres situated southwest of the intersection of Union Avenue and NY Route 32, in the Town of New Windsor Orange County, New York (see attached figure entitled *Site Location Map*). Park Hill Drive, which is located immediately north of the northern limits of the property site, connects with Union Avenue to the north. A 150-foot wide easement maintained of CHG&E bisects the site. The subject property, including the utility easement, is owned by RPA Associates, LLC.

Access will be provided to Patriot Estates and Patriot Bluff by the proposed continuance of Epiphany Drive extension, which presently connects with the Patriot Plaza retail center and Patriot Ridge condominium complex situated north of Windsor Highway (Route 32). The Patriot Ridge condominium project is substantially completed and the first building of Patriot Plaza, totaling 15,000 square feet, has been completed. In addition, the proposed road system for the Patriot Estates/Bluff Development project includes a connection onto Park Hill Drive in order to provide access with Union Avenue situated to the north.

The Patriot Estates Subdivision portion of the project involves the subdivision of the approximate 55-acre parcel into 29 lots (Lots 1 through 28), representing 25.8 acres (see attached figure entitled *Project Layout*). This subdivision will be occupied with single-family residences directly accessed by the Epiphany Drive extension and the secondary ingress and egress road connection onto Park Hill Drive. The Patriot Bluff Development portion of the project (Lot 29) is approximately 29.4 acres in size and will be developed to yield 96 attached residential units, offered for sale as condominiums. Please be aware that we have made changes to the sections of the DSEIS which pertain to the Applicant proposing either fee-simple townhouses or condominiums. Essentially, RPA has decided to only propose condominium townhouses. Regardless, this proposal will meet the PUD objectives for providing varied housing in the Town of New Windsor, while making full economic use of the land.

POTENTIAL SIGNIFICANT IMPACTS

Section 3.0 of this DSEIS describes the "Environmental Setting" of the Patriot Estates Subdivision and Patriot Bluff Development site, and the "Potential Significant Environmental Impacts" that may be associated with the project. These impacts, relative to the issues identified in the Scoping document prepared for the DSEIS, are as follows:

- Traffic-Related Impacts

- Impacts to Community Services - School District Capacity
- Impacts to Local Infrastructure and Utilities (Wastewater Treatment and Water Supply)
- Impacts on Topography, Drainage Patterns, and Flood Plains
- Impacts to Surface Water Resources and Wetlands
- Impacts on Community Character

It is important to again note that the above issues were identified by the Planning Board, and in response to issues voiced by both the Board and representatives of the public during the above mentioned March 10, 2004 public project meeting.

PROPOSED MITIGATION MEASURES

Mitigation measures have been proposed to reduce the environmental impacts associated with the Patriot Estates Subdivision and Patriot Bluff Development project to the maximum extent practicable. These mitigation measures are also discussed in Section 3.0 of the DSEIS and include:

- Implementation of phased traffic improvements designed to minimize project-related traffic impacts
- Increased tax revenues to enhance the Newburgh Enlarged City School District
- Incorporation of new infrastructure and improvements to existing water supply infrastructure for the Town of New Windsor
- Implementation of a Wetlands Mitigation Plan designed to reduce impacts to surface water and wetland resources resulting under the project
- Implementation of a Stormwater Management Plan designed to improve existing uncontrolled and untreated stormwater discharges and enhance groundwater infiltration
- Inclusion of a vegetative buffer between the Patriot Estates Subdivision and Patriot Bluff Development project and the existing Park Hill Drive community to offset community character impacts

These measures are discussed in the document in response to the impacts identified by both the Town Planning Board and representatives of the public, as well as by way of the Applicant's adherence to the impact analyses performed under the EIS process required under SEQR.

ALTERNATIVE ACCESS FOR THE PROPOSED PROJECT

This section of the DSEIS focuses on discussing feasible alternatives to that of the proposed secondary ingress/egress connection road with Park Hill Drive. A detailed evaluation of the alternatives is presented in Section 7.0 - Alternatives to the Proposed Action, of the DSEIS document and include:

- The "No-Action" Alternative, whereby no connection is made with Park Hill Drive
- The use of a 50-foot connecting road with Union Avenue to the north
- The use of an adjoining parcel, reportedly owned by Petro, for construction of a connection road with NY Route 32 to the southeast
- Use of an emergency crash gate with a proposed connection road with Park Hill Drive

An evaluation of the No-Action Alternative considered both the adverse and beneficial impacts without an access road leading to and from the project site (see Attached figure entitled "*No Action Alternative*"). The second alternative focuses on the use of a 50-foot wide road to connect the site with Union Avenue to the north, through the lands of the Newburgh Enlarged City School District (see attached figure entitled *50-Foot Connecting Road With Union Avenue*). This alternative requires conveyance of property owned by the NECSD to RPA, and the filling of several acres of adjacent stream-side wetlands. This alternative appears to be the least favored, based on the perceived difficulties in obtaining necessary approvals from the US Army Corps of Engineers, and the likelihood of ever receiving full conveyance of land rights by the NECSD to RPA. The difficulties of land conveyance are centered on the fact that the District will not be able to formally sell property purchased by taxpayers to RPA, a private developer.

The third alternative would require the conveyance of land owned by Petro to facilitate a connection with NYS Route 32 situated to the south (see attached figure entitled *Connection with NYS Route 32 Through Petro Property*). In addition, constraints including the topographic conditions of the site present slope constraints for properly constructing a roadway to Town Code. These issues, combined with the fact that inadequate sighting distance exists at the point where such a road would connect with Route 32, render this alternative as unfeasible.

The final alternative incorporates the use of a proposed emergency gated access within the limits of a road extension proposed to connect the development with Park Hill Drive (see attached figure entitled *Access Road With Emergency Gate*). This gate would be locked and used on an "as-needed" basis for emergency access. This alternative will allow a connection with the development and Union Avenue to the northeast, by way of Park Hill Drive, but would not allow two-way traffic along Park Hill Drive.

As noted above, the DSEIS has been prepared to include the above information in order to facilitate the Planning Board's continued review of the project under the SEQR process. At this time, the Applicant is hopeful that through this presentation the Board consider determining

if the document is complete and if so, accept the document for public review. If the Board accepts the document for public review, RPA anticipates that the Board would then consider issuing notice for public comment, in conjunction with scheduling a Public Meeting to hear comments on the document, by representatives of the interested public.

FIGURES

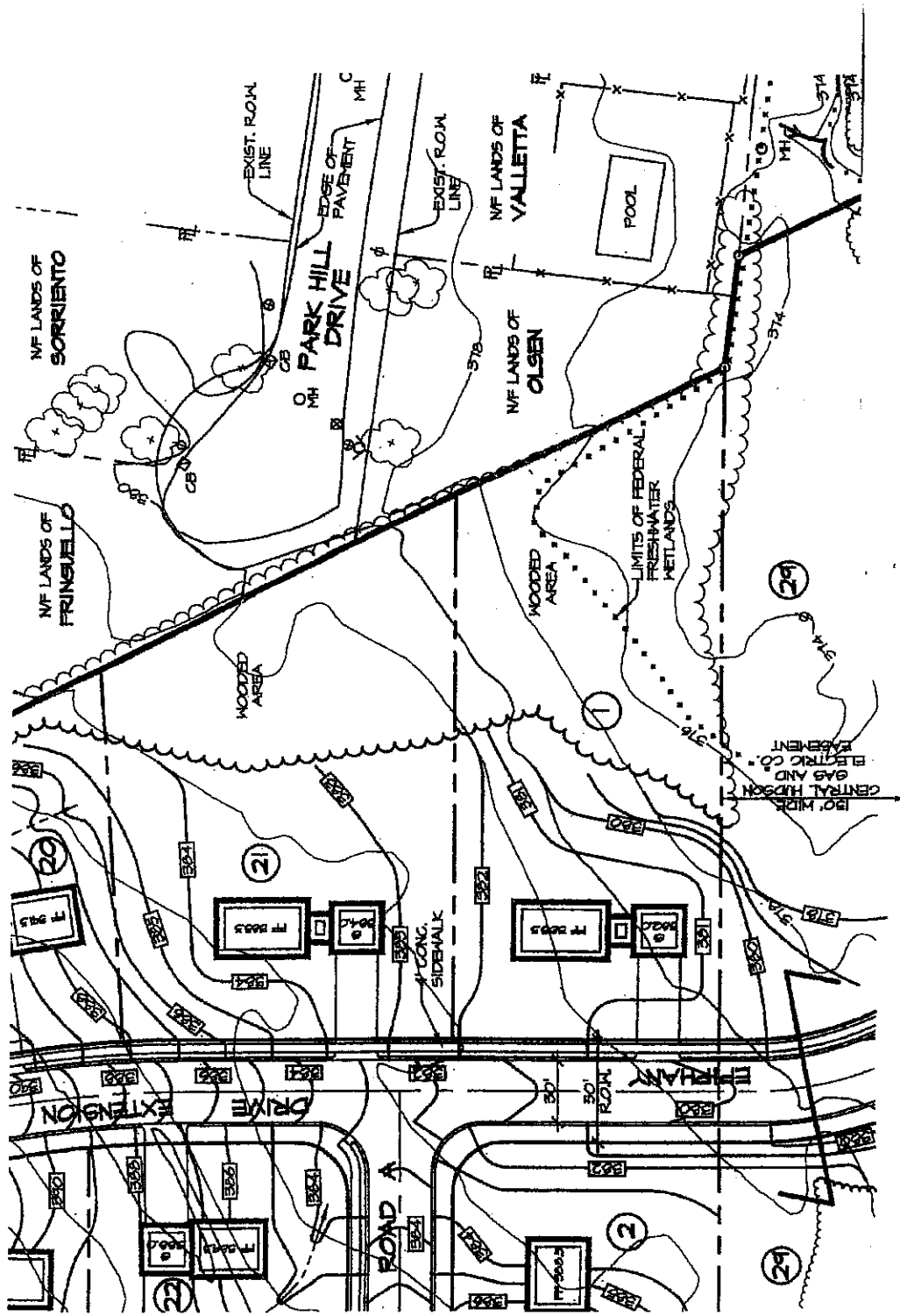


SOURCE: USGS; TOPOGRAPHIC QUADRANGLE
FOR CORNWALL, NEW YORK; 1957,
PHOTOREVISED 1981

SCALE: 1 INCH = 2,000 FEET

SITE LOCATION MAP

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"NO-ACTION" ALTERNATIVE

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SOURCE: SHAW ENGINEERING, APRIL 2006

SCALE: 1 INCH = 72 FEET

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